

Computation of Categories of Damage
Rhobar, Inc., et al. v. Howard Silver, et al.

A. Usurious Loans

Principal Balance of Criminally Usurious Loans	\$9,183,800.00
Interest Paid (\$1,000,829.00 less permitted 24%)	<u>\$760,630.00</u>

Total Claimed **\$9,944,430.00**

B. Damages caused by delay in closing from 4/2/07 to 6/20/07

Capmark Monthly: mortgage interest, tax escrow, insurance escrow and RES escrow

5/1/07: \$79,864.00 interest, \$32,541.00 taxes, \$32,089.00 insurance, \$2,467.00 RES

6/1/07: \$82,321.00 interest, \$32,541.00 taxes, \$32,089.00 insurance, \$2,467.00 RES

Total Capmark (2 months): \$296,379.00

2 months \$296,379.00 = \$148,189.00/mo. or \$4,940.00/day

6/1/07 - 6/20/07: 18 days @ \$4,940.00 \$88,920.00

Capmark Claimed \$385,299.00

Other Mortgages

Visions Federal	\$29,488.00/mo.
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Bethpage Federal	21,267.00/mo.
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New York Community	24,346.00/mo.
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Private Mortgage	44,000.00/mo.
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Rhona Silver's Home Mortgage	38,650.00/mo.
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Taxes	<u>4,882.00/mo.</u>
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Total \$162,633.00

Total Other Mortgages (2 months @ \$162,633.00): \$325,266.00

2 months \$325,266.00 = \$162,633.00/mo. or \$5,421.00/day

6/1/07 - 6/20/07: 18 days @ \$5,421.00 \$97,580.00

Other Mortgages Claimed \$422,846.00

Total Capmark and Other Mortgages Claimed \$808,145.00

C. Legal Fees to 11/30/07 and continuing

Howard Silver v. Rhona Silver	\$73,772.71
Elliot Hurdy v. Rhona Silver	\$26,635.81
Rhobar v. Howard Silver (State Court)	\$1,790.22
Rhobar v. Howard Silver (RICO)	<u>\$12,363.55</u>

Total Claimed **\$114,562.29**

D. Additional Expenses of delay in closing 4/2/07 - 6/20/07

Payroll: \$4,450/mo. = \$8,900.00 + 18 days @ \$148.33	\$11,570.00
Utilities: \$10,000/mo. = \$20,000 + 18 days @ \$333.33	\$26,000.00
Repairs (boiler/phone)	<u>\$1,700.00</u>

Total Claimed **\$39,270.00**

E. Interest on Money owed 4/2/07 - 6/20/07

Customer Deposits: \$40,000.00 @ 6% = \$2,400.00/yr., \$200.00/mo., \$6.67/day
 Vendors: \$329,499.00 @ 6% = \$19,770.00/yr., \$1,647.00/mo., \$54.92/day
 Personal Loans: \$725,004.00 @ 6% = \$43,000.00/yr., \$3,625.00/mo., \$120.83/day
 4/1/07 Campmark mortgage, insurance, taxes and RES payment: \$184,865.00 @ 6% =
 \$11,092.00/yr., \$924.00/mo., \$30.81/day
 Party Cost Over Income: \$109,314.00 @ 6% = \$6,558.84/yr., \$546.57/mo., \$18.22/day
 Summary: \$6,943.00/mo. x 2 = \$13,886.00 + 18 days @ 231.48 = \$4,167.00

Total Claimed **\$18,053.00**

F. Total Computation

Usurious Loans Interest (\$9,944,430.00)	\$760,630.00
Delay Interest, Taxes, Insurance and RES	808,145.00
Legal Fees to date	114,562.29
Additional Expenses delay in closing	39,270.00
Additional Interest on amounts owed	<u>18,053.00</u>

Total	<u>16,260.38</u> \$1,740,600.29
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Total Claimed to date (\$1,740,660 x 3) **\$5,221,980.87**